



Federal Communications Commission
Washington, D.C. 20554

January 13, 2010

DA 10-64

Trey Shannon
Mass Fatality Coordinator
Tarrant County Medical Examiners District
200 Felix Gwozdz
Ft. Worth, TX 76104

Dear Mr. Shannon:

This letter grants your request, dated January 8, 2010, on behalf of the Tarrant County Medical Examiner for a waiver to permit certain Amateur Radio Service licensees to transmit communications on behalf of their employers during upcoming government emergency drills.

In your request, you state that the Texas Disaster Response Pool will be holding monthly radio-check disaster preparedness drills on January 22, 2010 at noon; and at 8:30 a.m. on February 5, March 5, April 2, May 7, June 4, and July 2, 2010.¹ Each drill will last approximately two hours. You state that the exercises will test radio equipment readiness in the event of an emergency. The drills will be held at various locations in north Texas.

Section 97.113(a)(3) of the Commission's Rules, 47 C.F.R. § 97.113(a)(3), prohibits amateur licensees from transmitting communications in which they have a pecuniary interest, including communications on behalf of an employer. You therefore request a waiver of this rule to permit the following amateur licensees who are employees of Tarrant County to transmit communications on behalf of their employer in connection with these exercises: Dan Liedl, KB0BQJ; Mark Fulmer, KE5PHU; Stewart De Journett, KE5UYM; Stan Geisler, KE5UYP; and Frank Knox, KS5F. You also request a similar waiver for amateur licensees listed in your request who are employees of other entities participating in these drills, mostly health care facilities, to transmit on behalf of their employers in connection with these exercises.²

Section 1.3 of the Commission's Rules, 47 C.F.R. § 1.3, provides that the Commission may waive its rules if good cause for waiver is shown. We conclude that grant of the waiver request is appropriate under the circumstances presented. The public interest in facilitating the January 22, February 5, March 5, April 2, May 7, June 4, and July 2, 2010, public safety exercises by permitting the specified amateur licensees to participate warrants this limited waiver of Section 97.113(a)(3). This waiver grant permits transmission of communications by the amateur licensees listed in your request on behalf of their employers during the January 22, February 5, March 5, April 2, May 7, June 4, and July 2, 2010, exercises.

¹ Following subsequent telephone contacts with FCC staff, Tarrant County modified its request to conduct monthly, rather than weekly, tests.

² The request, including the entire roster, is set forth in the Commission's Universal Licensing System as an attachment under each of the licenses listed above.

Accordingly, IT IS ORDERED that the waiver request of the Tarrant County Medical Examiner, dated January 8, 2010, IS GRANTED to the extent set forth herein. Waivers for additional dates or additional participants must be requested separately.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau